

Applicant Details

First Name	Rachel
Last Name	Schwartz
Citizenship Status	U. S. Citizen
Email Address	rs1946@georgetown.edu
Address	<div> <div>Address</div> <div> <div>Street</div> <div>225 Eastern Parkway, #1C</div> <div>City</div> <div>Brooklyn</div> <div>State/Territory</div> <div>New York</div> <div>Zip</div> <div>11238</div> <div>Country</div> <div>United States</div> </div> </div>
Contact Phone Number	9176978155

Applicant Education

BA/BS From	Northwestern University
Date of BA/BS	June 2013
JD/LLB From	Georgetown University Law Center https://www.nalplawschools.org/employer_profile?FormID=961
Date of JD/LLB	May 23, 2021
Class Rank	School does not rank
Law Review/Journal	Yes
Journal(s)	Georgetown Journal of Legal Ethics
Moot Court Experience	No

Bar Admission

Prior Judicial Experience

Judicial Internships/
Externships **No**
Post-graduate Judicial
Law Clerk **No**

Specialized Work Experience

Recommenders

Super, David
das62@georgetown.edu
202 525 9132
Wolfman, Brian
wolfmanb@georgetown.edu
Matheny, Caitlin
cmatheny@sidley.com
212-839-5460

This applicant has certified that all data entered in this profile and any application documents are true and correct.

RACHEL H. SCHWARTZ

225 Eastern Parkway #1C, Brooklyn, NY 11238 | rs1946@georgetown.edu | 917-697-8155

May 18, 2023

The Honorable Judge Maria Araujo Kahn
U.S. Court of Appeals for the Second Circuit
157 Church Street, 18th Floor
New Haven, Connecticut 06510

Dear Judge Kahn,

I am a 2021, *cum laude* graduate of Georgetown University Law Center, and I am writing to apply for a term clerkship in your chambers. My two years as a litigator at Sidley Austin have given me valuable experience that will make me an excellent clerk. Additionally, my five years of post-college, pre-law-school work experience in the nonprofit sector; over 120 hours of pro bono legal services throughout law school; substantial experiential education almost every semester of law school I was permitted; and summer legal internships give me the professional and legal experience to be a vital part of your chambers' team.

I have attached my resume, transcript, and writing sample. Recommendation letters will be sent separately from:

Brian Wolfman
Georgetown University Law Center
202.661.6582
wolfmanb@georgetown.edu

Caitlin Matheny
Senior Managing Associate
Sidley Austin LLP
212.839.5460
cmatheny@sidley.com

David Super
Georgetown University Law Center
202.661.6656
david.super@law.georgetown.edu

Please let me know if I can provide additional information. Thank you for your consideration.

Respectfully,
Rachel Schwartz

RACHEL H. SCHWARTZ

225 Eastern Parkway #1C, Brooklyn, NY 11238 | rs1946@georgetown.edu | 917-697-8155

EDUCATION

Georgetown University Law Center, Washington, D.C. May 2021

J.D., *cum laude*, Special Pro Bono Pledge Recognition, Section 3

GPA: 3.65

Journal: Georgetown Journal of Legal Ethics (Executive & Submissions Editor)

Clinic: Appellate Courts Immersion Clinic (Spring 2020)

Activities: Public Interest Fellow; Jewish Law Student Association (Executive Member-at-Large);
Lawcappella, A Cappella Group (Vice President; Soprano)

Northwestern University, Chicago, IL June 2013

B.A., *magna cum laude*, philosophy and psychology

GPA: 3.84

Honors: Phi Beta Kappa; Dean's List; Philosophy Honors; Brady Scholar in Ethics and Civic Life

Thesis: Philosophy, *Agreeing to Disagree: A Defense*

Awards: Weinberg Summer Research Grant, Philosophy Thesis Research;
Tikvah Summer Fellow in Jewish Thought, Princeton University

EXPERIENCE

Sidley Austin LLP, Associate, New York, NY Nov. 2021–Present

- Took two and second chaired three depositions, drafted discovery demands, negotiated with opposing counsel, managed calendar for civil-rights case on behalf of prisoner held in solitary confinement for a decade
- Member of trial team for a billion-dollar, three-week trial; wrote real-time trial updates, conducted factual and legal research, prepared exhibit binders
- Researched and drafted comprehensive client memos on personal-jurisdiction, attorney-client and work-product privilege
- Drafted bankruptcy-court complaint on behalf of debtor that led to a favorable settlement

Mobilization for Justice Low Income Tax Clinic, Sidley Pro Bono Fellow, New York, NY Sept.–Nov. 2021

Sidley Austin, Summer Associate, New York, NY July 2020

ACLU, Extern, Project on Freedom of Religion and Belief, Washington, D.C. Sept.–Dec. 2019

- Conducted legal and factual research for Supreme Court briefs and other cases

The Legal Aid Society, Summer Intern, New York, NY May–Aug. 2019

- Advocated for clients from intake to judgment, preventing evictions and correcting housing violations

Rosov Consulting, Project Associate, Chicago, IL June 2016–July 2018

- Guided strategic planning for nonprofits by evaluating programs, analyzing findings, writing reports, presenting results

Interfaith Youth Core (IFYC), Campus Assessment Associate, Chicago, IL July 2013–May 2016

- Coordinated campus climate surveys, wrote reports, stewarded strategic data use on 25+ college campuses

PRO BONO AND VOLUNTEERING

Federal Public Defender for D.C., Part-Time Summer Intern, Appeals (Washington, D.C., May 2020–June 2020)

Washington Lawyers' Committee, Workers' Rights Clinic Intake Volunteer (Washington, D.C., 2019–2020)

Crisis Text Line, Volunteer Crisis Counselor (Chicago, IL, 2014–2018)

One Northside, Volunteer Mental Health Justice Organizer (Chicago, IL, 2013–2018)

Bar Admission: New York, S.D.N.Y., N.D.N.Y., 2022

Interests: Jogging, singing, windowsill gardening, vegetarian cooking

This is not an official transcript. Courses which are in progress may also be included on this transcript.

Record of: Rachel Schwartz
GUID: 828779224

Course Level: Juris Doctor

Degrees Awarded:
Juris Doctor Jun 09, 2021
Georgetown University Law Center
Major: Law
Honors: Cum Laude

Entering Program:
Georgetown University Law Center
Juris Doctor
Major: Law

Subj	Crs	Sec	Title	Crd	Grd	Pts	R
Fall 2018							
LAWJ	001	93	Legal Process and Society	2.50	IP	0.00	
LAWJ	002	93	Bargain, Exchange & Liability	3.00	IP	0.00	
LAWJ	005	30	Legal Practice: Writing and Analysis	2.00	IP	0.00	
LAWJ	007	32	Property in Time	4.00	A-	14.68	
LAWJ	009	35	Legal Justice Seminar	3.00	B+	9.99	
EHrs QHrs QPts GPA							
Current 7.00 7.00 24.67 3.52							
Cumulative 7.00 7.00 24.67 3.52							
Subj	Crs	Sec	Title	Crd	Grd	Pts	R
Spring 2019							
LAWJ	001	93	Legal Process and Society	5.00	B	15.00	
LAWJ	002	93	Bargain, Exchange and Liability Part II: Risks and Wrongs	6.00	A	24.00	
LAWJ	003	93	Democracy and Coercion	4.00	A-	14.68	
LAWJ	005	30	Legal Practice: Writing and Analysis	4.00	B+	13.32	
LAWJ	008	93	Government Processes	4.00	A-	14.68	
LAWJ	611	01	Restorative Justice	1.00	P	0.00	
EHrs QHrs QPts GPA							
Current 24.00 23.00 81.68 3.55							
Annual 31.00 30.00 106.35 3.55							
Cumulative 31.00 30.00 106.35 3.55							

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Subj	Crs	Sec	Title	Crd	Grd	Pts	R
Fall 2019							
LAWJ	1433	05	Law and Religion		NG		
LAWJ	1433	81	Law & Religion~~Sem	2.00	A-	7.34	
LAWJ	1433	82	Law & Religion~~Field Work	2.00	P	0.00	
LAWJ	1497	05	Urban Law and Policy Seminar	3.00	A	12.00	
LAWJ	165	07	Evidence	4.00	A-	14.68	
LAWJ	215	09	Constitutional Law II: Individual Rights and Liberties	4.00	B+	13.32	
LAWJ	514	05	Introduction to Scholarly Note Writing	1.00	P	0.00	
Dean's List Fall 2019							
EHrs QHrs QPts GPA							
Current 16.00 13.00 47.34 3.64							
Cumulative 47.00 43.00 153.69 3.57							
Subj	Crs	Sec	Title	Crd	Grd	Pts	R
Spring 2020							
LAWJ	049	05	Appellate Courts and Advocacy Workshop	2.00	P	0.00	
LAWJ	504	05	Appellate Courts Immersion Clinic		NG		
LAWJ	504	30	~Writing	4.00	P	0.00	
LAWJ	504	80	~Research and Analysis	4.00	P	0.00	
LAWJ	504	81	~Advocacy & Client Relations	4.00	P	0.00	
Mandatory P/F for Spring 2020 due to COVID19							
EHrs QHrs QPts GPA							
Current 14.00 0.00 0.00 0.00							
Annual 30.00 13.00 47.34 3.64							
Cumulative 61.00 43.00 153.69 3.57							
Subj	Crs	Sec	Title	Crd	Grd	Pts	R
Fall 2020							
LAWJ	121	07	Corporations	4.00	A-	14.68	
LAWJ	1461	05	Race and Poverty in Capital and Other Criminal Cases Seminar	2.00	A	8.00	
LAWJ	1601	01	Constitutional Impact Litigation Practicum (Project-Based Practicum)	5.00	A-	18.35	
LAWJ	1631	05	Federal Practice Seminar: Contemporary Issues	2.00	A-	7.34	
LAWJ	361	02	Professional Responsibility	2.00	A-	7.34	

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Record of: Rachel Schwartz
GUID: 828779224

			EHrs	QHrs	QPts	GPA			
Current			15.00	15.00	55.71	3.71			
Cumulative			76.00	58.00	209.40	3.61			
Subj	Crs	Sec	Title				Crd	Grd	Pts R
----- Spring 2021 -----									
LAWJ	1322	05	Civil Rights Statutes and the Supreme Court Seminar				2.00	A-	7.34
			Irving Gornstein						
LAWJ	135	05	Law Firm Economics and the Public Interest				1.00	P	0.00
			Steven Schulman						
LAWJ	1512	05	Constitutional Litigation and the Executive Branch				2.00	A	8.00
			Joshua Matz						
LAWJ	1606	08	Motherhood and the Law Seminar				2.00	A	8.00
			Stephanie Inks						
LAWJ	1652	05	Criminal Justice II: Criminal Trials				3.00	P	0.00
			Michael Gottesman						
LAWJ	178	09	Federal Courts and the Federal System				3.00	A	12.00
			Kevin Arlyck						
Dean's List Spring 2021									
----- Transcript Totals -----									
			EHrs	QHrs	QPts	GPA			
Current			13.00	9.00	35.34	3.93			
Annual			28.00	24.00	91.05	3.79			
Cumulative			89.00	67.00	244.74	3.65			
----- End of Juris Doctor Record -----									

Georgetown Law
600 New Jersey Avenue, NW
Washington, DC 20001

September 2022

The Honorable Maria Kahn
Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510-2100

Dear Judge Kahn:

I am most happy to recommend Rachel Schwartz for a clerkship in your chambers. She was a bright, accomplished and hard-working student, she is proving an engaged, energetic lawyer, and she will make an excellent law clerk.

I came to know Ms. Schwartz because she enrolled in the year-long course I teach in Georgetown's alternative curriculum that combines Contracts and Torts. This is a demanding and sometimes disorienting program, organized quite differently from the way either course is taught on its own. Even many students that eventually do quite well struggle mightily in the beginning. Not Ms. Schwartz. She had the intellectual ability to handle everything that the course threw at her and the commitment to hard work to give meticulous attention to the heavy readings assigned. The organization of this course diverges from those of standard Contracts and Torts courses to the point that commercial outlines are of little value to students; Ms. Schwartz is such a dedicated student that I doubt she would have bothered with one anyway.

I gave exams at the end of each semester. Many students' performance varies considerably from one to the other. Again, Ms. Schwartz was the conspicuous exception, writing stand-out responses to both. I am sure I could have made the exams twice as difficult and it would not have phased her in the least.

Although Ms. Schwartz in no way neglected her coursework, even in her first year she was developing much broader interests in the law. In particular, she was interested in the intersection between public and private regulation, a timely topic on which I have written as well. With my encouragement, she made several appointments to discuss how our system allocates responsibilities between Tort and various regulatory regimes. Whenever I would mention a case or article, even casually, she would invariably have read it by our next meeting and formed a nuanced opinion about it. Having such sophisticated conversations with a graduating third-year student would have been impressive; doing so with a first-year student was remarkable. We continued to talk throughout her law school career; she sought my comments on a fascinating note she wrote on how landlord-tenant law, various municipal ordinances, and conditions on federal funding shape housing quality in New York City.

I have stayed in touch with Ms. Schwartz occasionally since her graduation. I am most impressed with how enthusiastically she has taken to litigation. She takes her duties to her clients and to the courts very seriously and so conveys few details, but she clearly is fascinated by the process and relishing being a part of it. This enthusiasm and curiosity will make her a superb clerk even when the tasks at hand might strike some as less than scintillating.

More broadly, Ms. Schwartz has all the skills required to be an excellent law clerk. She is a strong writer, she has superior legal research skills, she is a hard worker and imposes higher standards on her own work than any supervisor would ever impose on her. She reacts positively to criticism and disagreement. She has impressive maturity, poise, and self-confidence without allowing her considerable talents to kindle any arrogance or carelessness. And she is a courteous and pleasant human being. I expect your staff will enjoy having her in chambers.

In sum, Rachel Schwartz is an impressively talented, hard-working, and quite adaptable lawyer. She will excel as a law clerk and give all of her mentors numerous occasions for pride as she sets out on a most promising legal career. Her applications has my full and unreserved support.

Sincerely yours,

David A. Super
Carmack Waterhouse Professor of Law and Economics

David Super - das62@georgetown.edu - 202 525 9132



GEORGETOWN LAW

Brian Wolfman
Professor from Practice
Director, Appellate Courts Immersion Clinic

May 22, 2023

Re: Clerkship recommendation for **Rachel Schwartz**

I recommend Rachel Schwartz to serve as a law clerk in your chambers.

I got to know Rachel in the spring semester of 2020 when she was a student-lawyer in the Appellate Courts Immersion Clinic at Georgetown University Law Center. (I am the clinic's director.) The clinic handles complex appeals in the federal courts of appeals and in the Supreme Court. Students act as the principal lawyers researching and writing briefs under my supervision.

The clinic operates full-time. Students take no classes other than the clinic and a co-requisite seminar about the law of the appellate courts. (I'll comment on Rachel's work in the seminar toward the end of this letter.) I worked with Rachel every day for an entire semester—in-person until the Covid-19 crisis and then remotely—and was able to observe her as a judge would observe a law clerk or as a senior lawyer might observe a close associate. This letter, therefore, is based not on one exam, a handful of comments in class, or even a few meetings, but on an intensive, day-to-day working relationship.

I'll start with my bottom line: Rachel would be an excellent law clerk. Rachel's work in the clinic was quite strong. She analyzes legal problems well. She's a very good writer and an even better editor. She's a terrific colleague too.

I'll turn now to Rachel's major clinic projects: researching and drafting both opening and reply briefs in a one federal appeal and doing the same for an answering brief in another federal appeal.

In the first case, Rachel and another student researched and drafted a brief arguing that our client's Section 1983 employment-discrimination suit (1)

600 New Jersey Avenue, NW Washington, DC 20001-2075
PHONE 202-661-6582 FAX 202-662-9634
wolfmanb@law.georgetown.edu

had been adequately pleaded, and (2) was not issue-precluded by an earlier judgment. The first issue was quite difficult because the question was not whether the *factual* allegations were adequate (the typical pleading problem), but what if any obligation exists to plead the *legal* bases for one's claims. The second question—issue preclusion—was even trickier, and Rachel did a fine job researching and thinking through the difficulties of the doctrine. These were issues that law students never confront, and Rachel was called on to think a bit outside the box. She rose to the occasion. Rachel did an excellent job with the reply brief as well. She had to turn this brief around quite quickly and at the end of the semester when she was working on another opening brief and coping with the strains of virtual law practice. Yet, she did a fine job responding to our opponent's arguments without losing the basic themes we had established in our opening brief.

Rachel's second project was equally challenging. We represent a prisoner claiming that his Free Exercise rights had been violated by the prison's failure to provide religiously appropriate meals. He had successfully resisted summary judgment on the prison officials' claims of qualified immunity. On appeal, we argued both the merits of the qualified-immunity issue and that the court of appeals lacked appellate jurisdiction over the district court's non-final order. Once again, the issues presented were not the kind normally confronted by law students in the classroom. Rachel had to learn a couple areas of the law from the ground up. Again, she did fine job, producing a brief that was analytically strong and well-written.

* * *

As noted at the top, students in my clinic are enrolled in a separately assessed seminar—the Appellate Courts and Advocacy Workshop. The first two-thirds of the course is an intensive review of federal appellate courts doctrine, including the various bases for appellate jurisdiction and the standards and scope of review. In this part of the course, the students must master the difficult doctrine and apply it in a half-dozen writing assignments that range from a motion to dismiss for lack of appellate jurisdiction to a statement of the case to a complex jurisdictional statement. We then take a short detour into Supreme Court jurisdiction and practice. Toward the end of the course, we cover a few advanced legal writing and appellate advocacy topics. Only capable students willing to work hard do well in this course. Given the course's subject matter and its blend of doctrine, writing, and practice, the course often appeals to students who desire federal judicial clerkships. Rachel's work in this class was consistently excellent. In light of Covid-19, our school switched to mandatory pass-fail grading, and so I did not grade Rachel in this

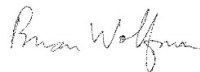
course (or in the clinic). But by the time the virus hit, and we had switched to pass-fail grading, I had assessed all but one of the seminar's writing assignments. I can tell you that the quality of Rachel's work was right at the top of the class.

* * *

Beyond Rachel's intellectual attributes, a few of her other qualities bear mention. Rachel is a serious advocate who is dedicated to her client's interests. She's honest and straightforward. She works hard. She has a lovely personality and a fine sense of humor. And, importantly, she is willing to challenge others, politely but firmly, when she believes that they need to think harder or more deeply about an issue. Not infrequently, Rachel saw problems or opportunities in cases that I or others had missed, and I appreciated her willingness to bring those things to our attention. She did this not to score points, but to ensure that we did the best job for our clients. For this reason as well, I think she'd be a fine person to have in chambers.

I'll end where I started: I recommend Rachel Schwartz for a clerkship. If you would like to talk about Rachel, please call me at 202-661-6582.

Sincerely,



Brian Wolfman

May 18, 2023

The Honorable Maria Kahn
Connecticut Financial Center
157 Church Street, 18th Floor
New Haven, CT 06510-2100

Dear Judge Kahn:

I am writing to provide my strongest recommendation for Rachel Schwartz for a clerkship with you. I am a Senior Managing Associate at Sidley Austin LLP in the Commercial Litigation and White-Collar practice groups. I served as a Staff Law Clerk on the United States Court of Appeals for the Seventh Circuit for a two-year term. I have directly supervised Rachel on three client matters, which is effectively one-third of my work over the past year. Rachel is the best first-year associate (now second-year) that I have worked with in my over four years at the firm.

It is hard for me to put into words what makes Rachel superior, as often she does the job so effectively that she is handling the matter with little oversight from me. Rachel has all the skills that a judicial clerk should have. She researches and writes effectively, communicates complex topics in an easy-to-understand manner, has excellent time-management skills, and she is a professional who would represent the Court with integrity.

First, Rachel has an exceptional ability to write legal motions and memoranda based on the thorough legal research she conducts. This skill, alone, would be sufficient to make her stand out in your pool of applicants. But I particularly admire her ability to edit others' written work. She is excellent at reorganizing and restyling drafts she receives from others, such as those we receive from expert witnesses, more junior attorneys, or even from attorneys senior to her. Rachel's ability to understand and help clarify legal arguments would assist the Court in getting to the heart of legal issues efficiently.

Unlike many other clerkship applicants, Rachel's experience in a wide-variety of litigation matters compared with her peers has taught her how to look at litigation at a high-level and understand the complete picture. As a result, she has learned to drive case strategy, appropriately presenting and assessing the risks and benefits of a course of action. The ability to view facts and understand how they affect the entirety of a litigation often takes associates longer to grasp, but Rachel learned it right away. For example, while writing discovery requests, Rachel analyzed the claims that we will need to prove to win and determined which documents and testimony our client would need to prosecute his case. This allowed her to understand and ultimately press opposing counsel during meet-and-confer conferences for the production of documents most essential to our case, and to have the wherewithal to know which ones we could afford to compromise. She took this approach into depositions, and recently took a significant role in drafting a settlement demand. Her view of the full-scope of litigation enabled her to assess which positions we could afford to demand in settlement, and which ones we might initially include, but again, will ultimately drop.

Rachel understands how the Court's decisions affect litigants and lawyers. The practical skills I have watched her learn, that those with a strictly academic pedigree may be missing, would make her a unique asset to your chambers.

Another one of Rachel's strengths is her ability to stay calm and not become overwhelmed by new or complex tasks. For a variety of reasons, each matter that Rachel has worked on with me has been staffed leanly. This means that Rachel has had to take the first attempt at assignments that someone more senior would usually lead, or that a junior associate would do only a small part of. Rachel has always handled the assignments with ease and viewed each experience with a positive attitude, as a chance to add more litigation tools to her belt.

For example, on one matter, Rachel was tasked with hiring expert witnesses. She researched, provided recommendations to narrow the pool of expert witnesses from approximately twenty candidates, and interviewed those potential experts. The litigation team took Rachel's recommendation, and Rachel hired, and worked with the experts to write two subject-matter reports supporting our client. On the same matter, Rachel recently took depositions of two defendants. She reviewed discovery produced, wrote deposition outlines, and questioned the defendants successfully all within one month. Rachel took the depositions in a methodical fashion and was unafraid to ask tough follow-up questions to her witnesses based on newly revealed and unexpected information. In this matter, and another matter we worked on together, Rachel has led meet-and-confer conferences, each time successfully securing firm positions from opposing counsel.

Next, Rachel has better management skills than even some senior lawyers I know. I have seen her excel at delegating to other associates, paralegals, and summer associates. She is exceptional at discerning legally-imposed deadlines and then creating and managing project calendars to meet them. Rachel is also efficient in managing her own time. She prioritizes her tasks effectively, produces excellent work, and knows when the work product is finished. But where Rachel shines is in "managing up." She is unapologetic about following up, and keeping an entire matter moving. She is also unafraid to proactively give and solicit feedback, which makes her own work, and the work of everyone around her, better. Rachel is in her second-year as an attorney and I think she is better at this than I am, and I have been practicing for seven years.

I would also like to highlight Rachel's intellectual curiosity, love of the law, and integrity. She goes above and beyond on any research assignment, not only answering the question asked but seeing the holes in an argument, or predicting the next

Caitlin Matheny - cmatheny@sidley.com - 212-839-5460

questions, and providing an answer for those, too. Rachel genuinely delights in finding the answers to complex legal issues across subject areas, and she is excellent at it.

Last, Rachel sticks to deadlines, keeps her promises, communicates before deadlines if she thinks more time would be beneficial to the work product while still keeping the matter on track, and I trust her without fail. In short, she would represent the Court with integrity. I know that if Rachel gives me work product, I need not check whether her statements or research is accurate (although I do).

For all these reasons, it would be bittersweet for me, and our firm, to lose Rachel, even if temporarily, to a clerkship. Rachel makes me a better lawyer, and I strongly recommend her for a clerkship with you.

Kind regards,

Caitlin Matheny

Caitlin Matheny - cmatheny@sidley.com - 212-839-5460